

January 14, 2000

Via Fax: (202) 219-1790

The Honorable John Berry
Assistant Secretary
U. S. Department of the Interior, and

The Honorable Mark Van Norman
Director, Office of Tribunal Justice
U. S. Department of Justice
c/o John Berry

Subject: Reconciliation process with Native Hawaiians

Gentlemen:

My name is Dante Keala Carpenter, son of Louise Pomaika'i (Kakelaka) Carpenter, keiki o ka aina, and Vernon Forest Carpenter, the former, a daughter of Hawaiian-Chinese lineage and the latter a son of French-English extraction originally from Texas (deceased). On behalf of my family and me, Aloha and mahalo for giving Hawaii and in particular its Native Hawaiian people an opportunity to express their views toward reconciliation.

I am an engineer and a Naval Reserve Line Officer (retired). I have served in elective public office as Hawaii County Councilman, Hawaii County Mayor, and Hawaii State Senator for a total of 18 years. Further, I have served for nearly 2 years as the Administrator for the Office of Hawaiian Affairs, an agency of the state of Hawaii. Moreover, I presently serve as an elected Delegate to the Native Hawaiian Convention, which body (85 delegates) serves to discuss, propose and recommend a Native Hawaiian Government to the Hawaiian people. At the conclusion of the Native Hawaiian Convention, the Hawaiian electorate will participate by voting to ratify its recommendation(s).

Senator Daniel Akaka, principal author of P. L. 103-150, has stated that "reconciliation" is a continuing process that involves the resolution of a multitude of issues...and finally, that the Native Hawaiian Community working together with the federal government will determine the outcomes of the process.

In your speech at Iolani Palace, you quoted a section of Public Law 103-150, the Apology Resolution, which stated, "The Congress apologizes to the Native Hawaiians on behalf of the people of the United States for the overthrow of the Kingdom of Hawaii on January 17, 1893 with the participation of agents and citizens of the United States, and the deprivation of the rights of Native Hawaiians to self-determination and expresses its commitment to acknowledge the ramifications of the overthrow of the Kingdom of Hawaii, in order to provide a proper foundation for reconciliation between the United States and the Native Hawaiian people."

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You further stated "today the proud people native to Hawaii and the government of the United States begin a journey...together." And finally you stated, "There are those who hold that the only true redress to this situation is through international law and tribunal. It is beyond my power to determine, but I would like to make it clear that I will take no action to deter those who wish to pursue such a course."

With all due respect to the commission's diligence and empathy, the lack of participation by a bona fide representative of the State Department, in respect of the international aspect derived from the illegal overthrow and taking of the legitimate Nation of Hawai'i, is regrettable. I'm concerned as a citizen of Hawaiian ancestry and delegate to the Native Hawaiian Convention, by your own admission, the reconciliation efforts offered by your commission is severely limited in both scope and authority, therefore cannot be the final arbiter of the process to which we should all be committed.

Therefore, it is imperative that your commission, to assure its integrity, recommend to both Administration and Congressional leaders that they acknowledge and pursue the expansion of the reconciliation process to include the United States' obligations set forth under international law, especially Chapter 11, Article 73 of The Charter of the United Nations and its subsequent relevant resolutions and studies, to undertake a sound trust obligation to promote to the utmost the process of self-governance of Hawai'i.

Further, P. L. 103-150 notwithstanding, the rights of sovereignty and self-determination are inherent rights of indigenous peoples who inherit this earth, and is further embodied in the United Nation's Draft Declaration on the Rights of Indigenous Peoples, Resolution 1994/45, Article 3: "Indigenous peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development"

By copy of this statement, I am informing Senator Akaka of my concerns for the future composition of the reconciliation commission and the pursuit of self-determination assistance from the United States, albeit, without self-serving interference.

Working together will allow for mutually providing the opportunity for the Hawaiian electorate to have a range of choices including its own democratic form of government complete with structure such as (1) integrated, (2) independent in free-association, or an unfettered (3) independent nation, if it so chooses! But, let's let the Hawaiian people decide!

Mahalo a nui loa.

Copy to:

Senator Daniel Akaka

Native Hawaiian Convention